

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

ACORDA THERAPEUTICS, INC.,
Petitioner-Appellant

v.

ALKERMES PLC,
Respondent-Appellee

2023-2374

Appeal from the United States District Court for the
Southern District of New York in No. 1:23-cv-00223-NRB,
Judge Naomi Reice Buchwald.

SUA SPONTE

Before TARANTO, HUGHES, and STARK, *Circuit Judges*.
PER CURIAM.

O R D E R

After considering the parties' submissions and oral argument, the court finds it appropriate to require additional briefing in the above captioned appeal.

IT IS ORDERED THAT:

The parties shall file supplemental briefs limited to addressing whether this court has jurisdiction over the present appeal or whether it should be transferred to the Second Circuit. More particularly, as indicated at oral argument, the court is interested in discussion of the practical consequences of holding that this court has jurisdiction in the present case. The parties should address what if any sound and workable distinctions there may be, for purposes of this court's jurisdiction, between this case and a range of other cases in which parties to arbitrations seek to confirm, vacate, and/or modify an award involving patent issues.

Each brief must be no more than 15 pages in length, double spaced, in 14-point typeface. There will be two rounds of briefing. Each party shall file a first brief on or before the close of business on Wednesday, June 18, 2025. Each party shall file a second brief on or before the close of business on Friday, June 27, 2025.

FOR THE COURT



Jarrett B. Perlow
Clerk of Court

June 6, 2025
Date